



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/231,415	01/14/1999	DON P. WOLFE	AUTOB.043A	3041

20995 7590 03/11/2005

Knobbe Martens Olson & Bear LLP  
2040 Main Street  
Fourteenth Floor  
Irvine, CA 92614

EXAMINER

Colbert, Ella

ART UNIT	PAPER NUMBER
----------	--------------

3624

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/231,415

**Applicant(s)**

WOLFE ET AL.

**Examiner**

Ella Colbert

**Art Unit**

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 26-41 and 77-99 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 26-41 and 77-99 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 26-41 and 77-99 are pending. Claims 26, 34, 78, 80-84, 86-89, 91, and 92 have been amended in this communication filed 11/24/04 entered as Response to Non-Final Office Action.
2. The 35 USC 112 second paragraph rejection of claims 83 and 84 has been overcome by Applicants' amendment to claims 83 and 84 and is herein withdrawn.
3. The objection to claim 91 has been overcome by Applicants' amendment to claim 91 and is herein withdrawn.
4. The Abstract objection has been overcome by Applicants' amendment to the Abstract and is herein withdrawn.

### ***Claim Objections***

5. Claim 1 is objected to because of the following informalities: Claim 1, line 13 recites "permits each dealer to access and manage only the set of purchase requests associated". This line would be better recited "permit each dealer to access and manage only the set of purchase requests associated". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
7. Claims 26, 86 and 88 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 26, lines 9-13 recite "each set of

Art Unit: 3624

purchase requests associated with one of a plurality of dealers at least some of said purchase requests assigned to an associated dealer by the buyer-dealer association module, each purchase request belonging to at least one set of purchase requests and fewer than all sets of purchase requests". This portion of the claim limitation is confusing. Something appears to be missing from the claim limitation in order for the claim limitation to flow smoothly and to be understood.

Claims 86 and 88 have a similar problem.

Claim 86, lines 12 and 13 recite "least one dealer, wherein, for each dealer, the set of purchase requests associated with the dealer is stored in the database region associated with the dealer; and." The claim language of this claim limitation appears to be redundant, especially "associated with the dealer". Claim 88 has a similar problem.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 26, 34, and 87 are rejected under 35 U.S.C. 102(b) as being anticipated by (US 5,758,328) Giovannoli.

With respect to claim 26, Giovannoli teaches, a purchase request management system, wherein said purchase request is remotely managed by a user over a computer network, said purchase request management system comprising:

A buyer-dealer association module configured to assign a purchase request received from a potential buyer to one or more dealers (col. 2, lines 52-col. 3, line 21, fig. 1, and fig. 2A); a system database comprising a plurality of set of purchase requests, each set of purchase requests associated with one of a plurality of dealers at least some of said purchase requests assigned to an associated dealer by the buyer-dealer association module, each purchase request belonging to at least one set of purchase requests and fewer than all sets of purchase requests (col. 4, lines 1-9 and lines 26-49 and fig. 4); and a dealer access module configured to permit each dealer to access and manage only the set of purchase requests associated with the dealer (col. 4, lines 9-26 and col. 5, lines 9-36).

With respect to claim 34, Giovannoli teaches, a purchase request management system ..., said management system comprising: means for assigning a purchase request received from a potential buyer to one or more dealers such that, for each dealer to which the purchase request is assigned, the assigned purchase request belongs to a set of purchase requests associated with the assigned dealer (col. 7, lines 20-30); means for storing a plurality of sets of purchase requests received from potential buyers, wherein each set of purchase requests is associated with one of a plurality of dealers and each purchase request belongs to at least one set of purchase requests and fewer than all sets of purchase requests (col. 2, lines 52-64 and col. 3, lines 5-21); means for listing only the set of purchase requests associated with a dealer (col. 4, lines 36-43); and means for displaying details of the listed set of purchase requests (col. 4, lines 43-49); and means for acting on the listed set of purchase requests, wherein said

Art Unit: 3624

acting means comprises one or more action response modules, and wherein the listing means, said displaying means, and said acting means permit each dealer to access and manage only the set of purchase requests associated with the dealer (col. 4, lines 45-60 and col. 5, lines 37-49).

With respect to claim 87, this independent claim is rejected for the similar rationale as given above for claim 26.

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 27-33, 35-41, 77-83, 91-95, and 97 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 5,758,328) Giovannoli in view of (US 5,940,807) Purcell

With respect to claims 27 and 35, Giovannoli failed to teach, the management system as additionally comprising a dealer terminal, said dealer terminal displaying a split screen and the split screen lists the purchase requests on one side and a purchase request detail on the other side. Purcell teaches, the management system as additionally comprising a dealer terminal, said dealer terminal displaying a split screen and the split screen lists the purchase requests on one side and a purchase request detail on the other side (col. 7, lines 13-61). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the management system as additionally comprising a dealer terminal, said dealer terminal displaying a

Art Unit: 3624

split screen and the split screen lists the purchase requests on one side and a purchase request detail on the other side. Purcell teaches, the management system as additionally comprising a dealer terminal, said dealer terminal displaying a split screen and the split screen lists the purchase requests on one side and a purchase request detail on the other side and to modify in Giovannoli because such a modification would allow Giovannoli to have a screen that displays certain data about a product on one side of the screen and the name of the product and purchase price on the other side of the screen.

With respect to claims 28 and 36, Giovannoli teaches, wherein said list of purchase requests includes an assigned user (col. 4, lines 36-43).

With respect to claims 29 and 37, Giovannoli teaches, wherein said purchase request details includes a purchase request task list (col. 4, lines 36-49).

With respect to claims 30, 31, 38, and 39, Giovannoli teaches, wherein said purchase request task list includes an assigned user (col. 4, lines 29-50).

With respect to claims 32, 33, 40, and 41, Walker teaches, wherein said user is a sales manager (col. 7, lines 6-14 and 56-65).

With respect to claim 35, this dependent claim is rejected for the similar rationale given above for claim 27.

With respect to claim 36, this dependent claim is rejected for the similar rationale given above for claim 28.

With respect to claim 37, this dependent claim is rejected for the similar rationale given above for claim 29.

With respect to claim 38, this dependent claim is rejected for the similar rationale given for claim 30.

With respect to claim 39, this dependent claim is rejected for the similar rationale given above for claim 31.

With respect to claim 40, this dependent claim is rejected for the similar rationale given above for claim 32.

With respect to claim 41, this dependent claim is rejected for the similar rationale given above for claim 33.

With respect to claim 77, Giovannoli teaches, wherein a user remotely accesses the management system (col. 4, lines 1-9 and lines 58-60 and line 67-col. 5, line 8).

With respect to claim 78, Giovannoli teaches, wherein accessing and managing purchase requests as permitted by the purchase request management module includes storing a status indicator associated with each purchase request (col. 6, lines 36-59).

With respect to claim 79, Giovannoli teaches, wherein the status indicator is selected from a group including at least quoted, pending, and sold (col. 6, line 66-col. 7, line 8).

With respect to claim 80, Giovannoli teaches, wherein accessing and managing purchase requests as permitted by the purchase request management module includes associating a task with a purchase request (col. 7, lines 16-52).

With respect to claim 81, Giovannoli teaches, wherein accessing and managing purchase requests as permitted by the dealer access module includes assigning a task to a user (col. 7, line 53-col. 8, line 6).



Art Unit: 3624

With respect to claim 82, Giovannoli teaches, wherein accessing and managing purchase requests as permitted by the dealer access module includes assigning a priority level to a purchase request (col. 8, lines 6-20).

With respect to claim 83, Giovannoli teaches, wherein each purchase request belongs to only one set of the purchase requests (col. 4, lines 26-49).

With respect to claim 84, Giovannoli fails to teach, further comprising a plurality of distinct database regions, wherein each set is stored in one database region.

Purcell teaches, further comprising a plurality of distinct database regions, wherein each set is stored in one database region (col. 3, lines 50-57). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a plurality of distinct database regions, wherein each set is stored in one database region and to modify in Giovannoli because such a modification would allow Giovannoli to have an information management system with the information management system as a computer having information processing and storage capabilities.

With respect to claim 85, Giovannoli fails to teach, wherein each database region is associated with one dealer.

Purcell teaches, wherein each database region is associated with one dealer (col. 4, lines 51-64). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have each database region associated with one dealer and to modify in Giovannoli because such a modification would allow Giovannoli to have an information management system that operates in a database format in which

Art Unit: 3624

information pertains to a particular product of service item and is maintained as one of a plurality of records of the database.

With respect to independent claim 86, this claim is rejected for the similar reason as given above for claims 84, & 85.

With respect to claim 88, this independent claim is rejected for the similar rationale as given above for claims 84-86.

With respect to claim 89, this independent claim is rejected for the similar rationale as given above for claims 84-88

With respect to claim 90, Giovannoli and Purcell failed to teach, The purchase request management system of Claim 89, wherein the category of goods or services comprises automotive goods or services. The Office takes Official Notice that it would have been obvious to someone skilled in the art of buying and selling in the auto industry to have the goods or services to comprise automotive goods or services. It would have been obvious to someone with ordinary skill to modify the Giovannoli reference to include a category of goods or services in view of Giovannoli's teachings of a car buyer precisely defining the car and options packages he wanted for a specified price (col. 10, lines 40-56).

With respect to claim 91, Giovannoli teaches, The purchase request management system of Claim 34, wherein the action response modules comprise a purchase request management module configured to associate a task to a purchase request (col. 7, lines 16-52), determine a purchase request priority, associate a task with a purchase request, and assign a purchase request task to a user (col. 7, lines 53-

col. 8, line 6). This dependent claim also is rejected for the similar rationale as given above for claims 80-82.

With respect to claim 92, This dependent claim is rejected for the similar rationale as given above for claim 91.

With respect to claim 93, this dependent claim is rejected for the similar rationale given above for claims 91 and 92.

With respect to claim 94, this dependent claim is rejected for the similar rationale as given above for claims 91-93.

With respect to claim 95, this dependent claim is rejected for the similar rationale as given above for claims 26 and 91-94.

With respect to claim 97, this dependent claim is rejected for the similar rationale as given above for claims 91-95.

With respect to claim 98, Giovannoli teaches, The purchase request management system of Claim 88, wherein each of the purchase requests represents a potential buyer's non-binding intent to purchase one or more goods or services (col. 5, lines 9-36).

With respect to claim 99, this independent claim is rejected for the similar rationale as given above for claim 98.

### ***Response to Arguments***

12. Applicants' arguments have been considered and upon further consideration, a new ground(s) of rejection has been made.

### ***Suggestions***

13. The following is a suggestion of the Examiner in an effort to further the prosecution. The preamble of claim 34 recites "... , said system database including an exclusive database region for each of a plurality of dealers, ... , wherein at least one user has access to said purchase request in said exclusive database region, ...". It is suggested these limitations be incorporated into the body of independent claim 34 in order to be in agreement with the preamble.

### ***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to Applicants' disclosure.

Green et al (US 6,041,310) disclosed a kiosk with a display terminal and a terminal processor for formulating a multilevel customer query of an automobile inventory.

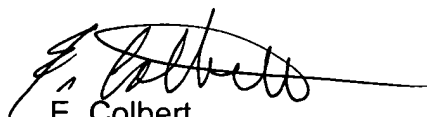
### ***Inquiries***

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 703-308-7064. The examiner can normally be reached on Monday-Thursday, 6:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1038. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3624

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'E. Colbert', with a long horizontal stroke extending to the right.

E. Colbert  
March 3, 2005